

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



**OFFICIAL WARNING
VIOLATION OF FEDERAL REGULATIONS**

CASE NUMBER:
MO10054 AC

VIOLATOR:
Mitchell Pendleton

ADDRESS (Street, City, State, ZIP Code):
245 Highway EE
Iberia, MO 65486

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

Date of Violation: December 14, 2009

9 C.F.R. § 3.1(c)(3) Housing facilities, general. You failed to spot-clean daily and sanitize hard surfaces with which the dogs come in contact to prevent accumulation of excreta and reduce disease hazards.

You allowed excessive amounts of fecal material, hair, or dirt and grime to accumulate throughout the housing facilities.

Date of Violation: November 4, 2010

9 C.F.R. § 3.1(c)(ii) Housing facilities, general. You failed to ensure that the interior surfaces and any surfaces that come in contact with dogs were free of jagged edges or sharp points that might injure the animals.

You failed to remove loose metal panels on the top of the upper row of exterior pens in Building A where the edges of the panels had sharp points that were exposed to the dogs.

Date of Violation: November 4, 2010

9 C.F.R. § 3.1(c)(2) Housing facilities, general. You failed to ensure that interior surfaces and any surfaces that come in contact with dogs were maintained on a regular basis and that surfaces that cannot be readily cleaned and sanitized, were replaced when worn or soiled.

You failed to repair and/or replace wood for one divider that showed signs of wear and breakage in the exterior runs of Building A and the plastic paneling for one raised outdoor enclosure that was torn off the wood divider with roughened edges.

Date of Violation: November 4, 2010

9 C.F.R. § 3.1(c)(3) Housing facilities, general. You failed to clean and sanitize surfaces of housing facilities when necessary to satisfy generally accepted husbandry standards and practices.

You failed to remove a heavy accumulation of cobwebs, dust, and specks around the vent fan and the light fixture adjacent to the fan on the ceiling inside Building B.

Date of Violation: November 4, 2010

9 C.F.R. § 3.9(b) Feeding. You failed to keep clean and sanitize the self-feeders and take measures to ensure that there was no molding, deterioration, and/or caking of feed.

You failed to remove and/or replace self-feeders that were chewed and roughened with dark matter and “gunk” on the dish edge where the feed was dispensed.

Date of Violation: February 18, 2011

9 C.F.R. § 2.126(b) Access and inspection of records and property.

You failed to make available a responsible adult to accompany APHIS officials and allow an inspection of your facility.

Date of Violation: February 25, 2011

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain programs of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries for the animals at your facility.

You failed to provide adequate veterinary care for a dog with a red and inflamed ear.

Date of Violation: June 21, 2011

9 C.F.R. § 2.126(b) Access and inspection of records and property.

You failed to make available a responsible adult to accompany APHIS officials and allow an inspection of your facility.

Date of Violation: September 13, 2011

9 C.F.R. § 2.40(b) Attending veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain programs of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries for the animals at your facility.

You failed to provide adequate veterinary care to an adult male Bulldog observed to be shaking his head with a three inch area of his right ear that was reddened, swollen, firm to the touch, and a ¼ inch area near the ear canal with dried blood.

Continued on next page.

Date of Violation: September 13, 2011

9 C.F.R. § 3.6(a)(2)(x) Primary enclosures. You failed to construct and maintain primary enclosures so that they had floors that were constructed in a manner that protects the dogs' feet and legs from injury, and that, if of mesh or slatted construction, do not allow the dogs' feet to pass through any openings in the floor.

You constructed the floor within the whelping house out of expanded metal with holes big enough to allow the puppies feet to pass through the flooring.

The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

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APHIS OFFICIAL (Title): Director, Investigative and Enforcement Services	DATE ISSUED: 6/4/2012 TELEPHONE NUMBER: (301) 851-2948